

91161

AGREEMENT (XG)

WHEN RECORDED RETURN TO
Maricopa Highway Dept.
Real Estate Division
ATTN: ERIC HOFFMAN

CONSTRUCTION
INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE COUNTY OF MARICOPA
H1-88

RECORDED BY THE
Maricopa County Board
of Supervisors.
KR 891118

THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE", and the COUNTY OF MARICOPA, hereinafter called "COUNTY",

WHEREAS, the State is empowered by A.R.S. Section 28-108 to enter into this Agreement and the Director of the ARIZONA DEPARTMENT OF TRANSPORTATION has delegated to the undersigned his authorization to execute this Agreement on behalf of the STATE:

WHEREAS, the COUNTY is empowered by A.R.S. 11-251 to enter into this Agreement, and acting by and through its duly elected governing body, has by that certain resolution attached hereto and incorporated herein as Exhibit "A" resolved to enter into this Agreement and has authorized the undersigned as its representative to execute the same on behalf of said County:

WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements and/or modifications be made on the State Highway System in the County. This work shall consist of the replacement of the temporary span wire traffic signals with permanent traffic signals at the following location:

SR 85 at Jack Rabbit Trail - MP 169.56
Project # H2351 01C (89 MA 169)

RECORDED IN OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA	
MAY 10 '89 - 4 00	
HELEN PURDELL, County Recorder	
FEE	PGS HL

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The STATE shall furnish all materials and equipment necessary to complete the installation of the traffic signals and furnish personnel for inspection of the installation process.

2. The COUNTY shall install or have installed all the materials and apparatus in a good workmanlike manner, and in accordance with the latest revisions of the Arizona Department of Transportation Traffic Signal and Highway Lighting Systems Standard Drawings and the Standard Specifications for Road and Bridge Construction.

3. The STATE shall deliver all furnished materials and apparatus to the County Warehouse facility at 3325-B West Hilton and shall pick up all defective or damaged materials and all unused materials at the County Warehouse upon completion of the work.

4. This Agreement shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals are complete, in place, and functional.

5. All parties are hereby put on notice that this Agreement is subject to cancellation by the Governor pursuant to Arizona Revised Statutes Section 38-511.

6. This Agreement shall be filed with the Secretary of State and shall become effective upon its filing.

7. In the event of a dispute, the parties agree to use arbitration to the extent required by A.R.S. §12-1518.

Attached to this Agreement and incorporated herein by reference is Exhibit "B" which is a copy of the written determination of the appropriate attorney that the County is authorized under the laws of this State to enter into this Agreement and that it is in proper form.

89 213800

31

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

BY:

T. A. Bryant, II.
State Engineer

DATE:

5/31/89

MARICOPA COUNTY

BY:

Fred Kooy, Jr.
Title

CHAIRMAN

DATE:

MAY 01 1989

Attest:

Cherie Brumby
Clerk of the Board of Supervisors

State-furnished Materials
County Installs
No Money Exchange

89 213000

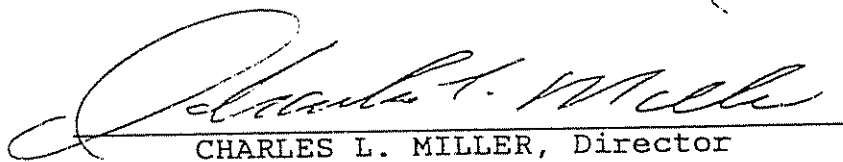
SR 85 at Jack Rabbit Trail - MP 169.56

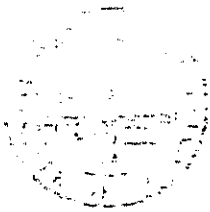
MARICOPA COUNTY

Project #H2351 01C (85 MP 169)

RESOLUTION

BE IT RESOLVED on this 29th day of March, 1989, that I, CHARLES L. MILLER, as Director, ARIZONA DEPARTMENT OF TRANSPORTATION, have determined that it is in the best interests of the State of Arizona that the DEPARTMENT OF TRANSPORTATION, acting by and through the Highways Division, enter into a Construction Intergovernmental Agreement with MARICOPA COUNTY for the replacement of temporary span wire signals with permanent traffic signals. Essentially, the Agreement establishes that the State furnish all materials and equipment necessary to complete the installation of traffic signals and that Maricopa County shall install, or have installed the materials and equipment. Therefore, authorization is hereby given to draft said Agreement which, upon completion, shall be submitted for approval and execution by the State Engineer.


CHARLES L. MILLER, Director
ARIZONA DEPARTMENT OF TRANSPORTATION



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert K. Corbin

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. KR89-1118, is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 18 day of July, 1989.

ROBERT K. CORBIN
Attorney General

Joe Aronoff
Assistant Attorney General
Transportation Division

NO. 14101

FILED WITH SECRETARY OF STATE

Date Filed 8-3-89

Jim Sheumway

Secretary of State

By B. J. Vermillion

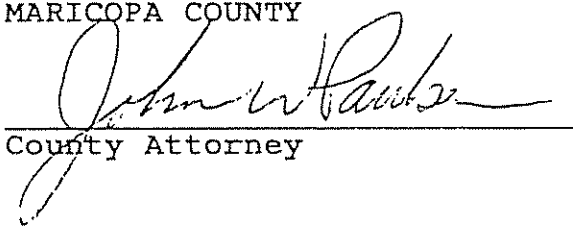
EXHIBIT "B"
APPROVAL OF THE COUNTY ATTORNEY

I hereby state that I have reviewed the proposed Construction Intergovernmental Agreement between the State of Arizona, ARIZONA DEPARTMENT OF TRANSPORTATION and MARICOPA COUNTY and declare the Agreement to be in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 10th day of April, 1989.

MARICOPA COUNTY

BY:


County Attorney

AGENDA INFORMATION FORM

EXHIBIT "A"

Contract/Lease for NEW ☐ RENEWAL ☐ AMENDMENT ☐ CANCELLATION ☐
(for existing record Encumbrance No. below)LOW ORG. NO. 6470 DEPARTMENT: HIGHWAY/TRAFFIC CONTROL NUMBER: HD 631-88ENCUMBRANCE NO. CS891167 AGENCY: PUBLIC WORKS CONTROL NUMBER: PW 631-88

1. BRIEF DESCRIPTION OF PROPOSAL AND REQUESTED BOARD ACTION:

Pursuant to an engineering study by the Arizona Department of Transportation, it is recommended that traffic safety be maintained by upgrading the existing traffic signals at S.R. 85 and Jackrabbit Road (MCHD Work Order No. 40901). The County's responsibility on this project is to provide labor and equipment to install the signal upgrade with materials furnished by the State.

Upon approval and execution by the Board of Supervisors, please return both originals to Mr. Eric Hoffman, Real Estate Supervisor, Highway Department.

*Please return an executed copy to
the Clerk of the Board of Supervisors.*

Compliance with Maricopa County Procurement Code _____ article _____ paragraph _____

2. CONTINUED FROM MEETING OF
DISCUSSED IN MEETING OF

3.

THIS DEPARTMENT WILL CAUSE PUBLICATION

CLERK OF THE BOARD TO CAUSE PUBLICATION

4. MOTION: It is moved that the Maricopa County Board of Supervisors approve and execute the construction agreement with the Arizona Department of Transportation to upgrade the traffic signals at S.R. 85 and Jackrabbit Road. Estimated installation costs to Maricopa County will be \$17,706.

*Please return an executed copy to
the Clerk of the Board of Supervisors.*

5. FINANCIAL: ☐ Budgeted ☐ Contingency ☐ Budget Amendment ☐ Transfer ☐ Grant or other

\$ _____ Total Cost/Revenue _____ Fund _____ Financial Officer _____ Date _____

6. PERSONNEL:

_____ Personnel Director _____ Date _____

7. DEPARTMENT: HIGHWAY-6400 DPFRP:clb

[Signature] 4-11-89
Action Recommended by _____ Date _____

8. MATERIALS MANAGEMENT:

_____ Materials Management Director _____ Date _____

9. LEGAL Approved as to form and within the powers and authority granted under the laws of the State of Arizona to the Maricopa County Board of Supervisors.

[Signature] 4-12-89
Deputy County Attorney _____ Date _____

10. OTHER:

_____ (Signature) _____ Date _____

12. BOARD OF SUPERVISORS: Action taken:

☐ Approved ☐ Amended ☐ Disapproved ☐ Deleted

Continued to: _____ (Date and type of meeting)

11. APPROVED FOR AGENDA:

[Signature] 4-13-89
Approving Official _____ Date _____

13. RECOMMENDATION OF COUNTY MANAGER:

☐ Approve ☐ Disapprove

Comments: _____

_____ County Manager _____ Date _____

[Signature] MAY 01 1989
Clerk of the Board _____ Date _____